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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

<b>UNITED STATES OF AMERICA</b>	:	<b>Honorable Jose L. Linares</b>
<i>Plaintiff,</i>	:	<b>Criminal No. 09-758</b>
<b>v.</b>	:	<b>FINAL ORDER OF</b> <b>FORFEITURE</b>
<b>PHILLIP J. KENNY</b>	:	
<i>Defendant.</i>	:	

**WHEREAS**, on October 6, 2009, the United States filed an Information, Criminal No. 09-758(JLL), against Phillip J. Kenny, charging him with a violation of Title 18, United States Code, Section 1951; and

**WHEREAS**, on October 6, 2009, the defendant Phillip J. Kenny pled guilty to the one-count Information; and

**WHEREAS**, on March 3, 2010, a Consent Judgment and Preliminary Order of Forfeiture between the United States and the defendant Phillip J. Kenny was entered whereby pursuant to the plea agreement, Phillip J. Kenny agreed to the forfeiture of \$5,000.00 in United States currency for violations of Title 18, United States Code, Section 1951; and

**WHEREAS**, pursuant to the Consent Judgment and Preliminary Order of Forfeiture the United States received a certified check in the amount of \$5,000 from the defendant, Phillip J. Kenny in satisfaction of the forfeiture agreement; and

**WHEREAS**, from March 6, 2010 to April 4, 2010, as required by 21 U.S.C. § 853(n)(1) and the manner set forth in Rule G(4)(a)(iv)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture, the United States posted notice of publication on [www.forfeiture.gov](http://www.forfeiture.gov), an official internet government forfeiture site, describing the asset with reasonable particularity and informing third parties claiming an interest in the asset of their right to petition the Court within sixty (60) days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the asset, the need to file an answer not later than twenty (20) days after filing of such Claim, and the name of the government attorney to be served with the Claim and answer. (Declaration of Christopher J. Gramicci, hereinafter "Gramicci Decl.", Exhibit A); and

**WHEREAS** no claims have been filed on the property by any third parties;

**THEREFORE** it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. That a Final Order of Forfeiture is entered and that the herein described asset, namely \$5,000.00 in United States currency is hereby forfeited to the United States of America for disposition in accordance with the law, and no right, title, or interest in the assets shall exist in any other party.
2. That any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshal Service's management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the sale and disposition of the forfeited property shall be deposited forthwith by the United

States Marshal Service into the Department of Justice Asset Forfeiture Fund, in accordance with the law.

The Clerk is hereby directed to send copies to all counsel of record.

ORDERED this 6<sup>th</sup> day of May, 2010

  
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Honorable Jose L. Linares  
United States District Judge